

State of South Dakota

EIGHTY-SIXTH SESSION
LEGISLATIVE ASSEMBLY, 2011

400S0170

HOUSE BILL NO. 1014

Introduced by: The Committee on State Affairs at the request of the 911 Coordination Board

1 FOR AN ACT ENTITLED, An Act to revise certain provisions regarding the purpose of the 911
2 emergency surcharge and to provide rule-making authority to the 911 Coordination Board
3 to establish allowable recurring and nonrecurring costs for the operation of a public safety
4 answering point.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

6 Section 1. That § 34-45-4 be amended to read as follows:

7 34-45-4. Upon compliance with § 34-45-2, the governing body may assess a monthly
8 uniform charge in an amount not to exceed seventy-five cents per service user line. The
9 proceeds of this charge shall be used to pay for allowable nonrecurring and recurring costs of
10 the 911 system. Any prepaid wireless telecommunications service provider shall remit the 911
11 emergency surcharge for each active prepaid wireless telecommunication service user account
12 to the South Dakota 911 coordination fund. The proceeds of the South Dakota 911 coordination
13 fund are continuously appropriated for reimbursement of allowable nonrecurring and recurring
14 costs of 911 service and operating expenses of the board. No such charge may be imposed upon
15 more than one hundred service user lines or equivalent service, per customer account billed, per



1 month. In the case of multi-station network systems, service user lines shall be equal to the
2 number of calls that can simultaneously be made from such system to the public switched
3 telephone network.

4 Section 2. That § 34-45-18.2 be amended to read as follows:

5 34-45-18.2. The board may promulgate rules pursuant to chapter 1-26 setting:

6 (1) Minimum technical, operational, and procedural standards for the operation and
7 utilization of a public safety answering point;

8 (2) Requirements and amounts for reimbursement of recurring and nonrecurring costs;
9 ~~and~~

10 (3) Standards for coordination of effective 911 service on a statewide basis; ~~and~~

11 ~~(4) Allowable expenditures of the 911 emergency surcharge proceeds collected pursuant~~
12 ~~to § 34-45-4.~~

13 ~~Moreover, prior to December 31, 2010, the board shall promulgate rules specifying~~
14 ~~alternative arrangements that can be utilized by a public safety answering point to comply with~~
15 ~~ARSD 50:02:04:02(2).~~ A public safety answering point shall comply with ARSD
16 50:02:04:02(2) if the Legislature increases the monthly uniform charge, regardless of the
17 amount of the increase. Furthermore, no public safety answering point may be required to
18 comply with the provisions of ARSD 50:02:04:02(2) if the public safety answering point
19 forswears the acceptance of revenue from any future legislative increase in the monthly uniform
20 charge and formally resolves to continue to maintain itself pursuant to all other statutes, rules,
21 and standards.